

Message Text

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12

ACTION ACDA-19

INFO OCT-01 AF-10 EUR-25 EA-11 IO-14 ISO-00 FEA-02 CIAE-00

H-03 INR-11 L-03 NSAE-00 OIC-04 OMB-01 PA-04 PM-07

PRS-01 SAJ-01 SAM-01 SP-03 SS-20 USIA-15 TRSE-00

RSC-01 NSC-07 SCI-06 DRC-01 /171 W

----- 076499

R 020836Z AUG 74

FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC 4832

INFO AEC GERMANTOWN

AMEMBASSY BERN

AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY CANBERRA

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY HELSINKI

47\$5:/AMEMBASSY LONDON 3189

AMEMBASSY LUXEMBOURG

AMEMBASSY MOSCOW

AMEMBASSY OSLO

AMEMBASSY OTTAWA

AMEMBASSY PARIS

AMEMBASSY PRAGUE

AMEMBASSY PRETORIA

AMEMBASSY ROME

AMEMBASSY STOCKHOLM

AMEMBASSY THE HAGUE

AMEMBASSY TOKYO

AMEMBASSY WARSAW

AMEMBASSY WELLINGTON

AMCONSUL CAPETOWN

USMISSION EC BRUSSELS UNN

USMISSION GENEVA

C O N F I D E N T I A L SECTION 1 OF 2 IAEA VIENNA 6805

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CAPETOWN FOR EMBASSY; GENEVA FOR DISTO

E. O. 11652: GDS

TAGS: PARM TECH IAEA

SUBJECT: NPT EXPORTERS COMMITTEE--PROPOSED TEXT OF USG DIPLOMATIC
NOTE

REF: A) IAEA VIENNA 6570

B) IAEA VIENNA A-380, AUGUST 2, 1974

1. COPIES OF CLEAN TEXTS OF "UNABRIDGED" MEMORANDA, BASED UPON JULY 9, 1974 DOCUMENTS ZC(72)/12/REV. 3 AND ZC(71)/10/REV. 6 HAVE BEEN TRANSMITTED BY AIRGRAM TO ALL ADDRESSEES FOR INFO AND POSSIBLE USE. SUB-PARA 1(A) OMITTED FROM TEXT EACH MEMORANDUM TEMPORARILY UNTIL FINAL LIST OF COUNTRIES AND QUESTION OF REFERENCE TO CONSULTATIONS WITH USSR RESOLVED. MISSION WILL TELEGRAPH TEXT SUB-PARA 1(A) AS SOON AS FINAL. ANNEX TITLED "RECOMMENDATIONS AS TO HOW THE PURPOSE SPECIFIED IN PARAGRAPH 5 COULD BE ACHIEVED", WHICH WAS INADVERTENTLY OMITTED IN JULY 9 VERSIONS, HAS BEEN INCLUDED IN "CLEAN" TEXTS.

2. MEMORANDUM DEALING WITH NUCLEAR MATERIALS WILL BE ENCLOSURE A TO DIPLOMATIC NOTE AND MEMORANDUM DEALING WITH EQUIPMENT AND MATERIAL WILL BE ENCLOSURE B.

3. COPIES OF IAEA VIENNA 6059, 6062 AND 6570 HAVE BEEN POUCHED HELSINKI, PRAGUE AND WARSAW FOR INFO.

4. PROPOSED TEXT OF USG DIPLOMATIC NOTE, USING ANNEXES A AND B TO ZC(72)/20/REV. 2. DTD JULY 9, 1974, AS STARTING POINT, TO BE DELIVERED IN CAPITAL OF EACH COUNTRY WILLING TO DELIVER COMPARABLE NOT TO USG IN WASHINGTON IS AS FOLLOWS:

QUOTE I REFER TO THE DISCUSSIONS HELD IN VIENNA REGARDING EXPORTS TO ANY NON-NUCLEAR-WEAPON STATE FOR PEACEFUL PURPOSES OF (A) SOURCE OR SPECIAL FISSIONABLE MATERIAL AND (B) EQUIPMENT AND MATERIAL ESPECIALLY DESIGNED OR PREPARED FOR THE PROCESSING, USE OR PRODUCTION OF SPECIAL FISSIONABLE MATERIAL. I ALSO REFER TO THE COMMITMENT OF THE GOVERNMENT OF THE UNITED STATES OF AMERICA UNDER ARTICLE III PARAGRAPH 2 OF THE TREATY ON CONFIDENTIAL

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THE NON-PROLIFERATION OF NUCLEAR WEAPONS NOT TO PROVIDE SUCH NUCLEAR MATERIAL, EQUIPMENT OR MATERIAL TO ANY NON-NUCLEAR-WEAPON STATE FOR PEACEFUL PURPOSES, UNLESS THE NUCLEAR MATERIAL SO PROVIDED OR THAT WHICH IS PRODUCED, PROCESSED OR USED IN OR BY THE EQUIPMENT OR MATERIAL SO PROVIDED IS SUBJECT TO SAFEGUARDS UNDER AN AGREEMENT WITH THE INTERNATIONAL ATOMIC ENERGY AGENCY.

I AM ABLE TO INFORM YOU THAT THE PROCEDURES FOR CONTROLLING

EXPORTS OF SOURCE AND SPECIAL FISSIONABLE MATERIAL AND OF EQUIPMENT AND MATERIAL ESPECIALLY DESIGNED OR PREPARED FOR THE PROCESSING, USE OR PRODUCTION OF SPECIAL FISSIONABLE MATERIAL, CURRENTLY IN FORCE UNDER THE POLICY OF THE GOVERNMENT OF THE UNITED STATES OF AMERICA, ARE FULLY CONSISTENT WITH THOSE SET OUT IN THE TWO MEMORANDA ARRIVED AT DURING THE SAID DISCUSSIONS. COPIES OF THOSE MEMORANDA ARE ENCLOSED. WITH REGARD TO SUB-PARAGRAPH 1(C) OF ENCLOSURE B, I AM ALSO ABLE TO INFORM YOU THAT THE GOVERNMENT OF THE UNITED STATES OF AMERICA, IN ACCORDANCE WITH ITS EXISTING PROCEDURES, REQUIRES SAFEGUARDS IN RELATION TO ITEMS OF EQUIPMENT AND MATERIAL IT EXPORTS IN ADDITION TO THOSE SPECIFIED IN PARAGRAPH 2 OR ENCLOSURE B.

THE GOVERNMENT OF THE UNITED STATES OF AMERICA WILL ADVISE YOUR GOVERNMENT IF THE SITUATION DESCRIBED IN THE FOREGOING PARAGRAPH SHOULD CHANGE.

DELIVERIES TO THE EUROPEAN ATOMIC ENERGY COMMUNITY AND TO ITS MEMBERS OF SOURCE AND SPECIAL FISSIONABLE MATERIAL AND OF EQUIPMENT AND MATERIAL ESPECIALLY DESIGNED OR PREPARED FOR THE PROCESSING, USE OR PRODUCTION OF SPECIAL FISSIONABLE MATERIAL, UNDER CONTRACTS MADE PURSUANT TO EXISTING AGREEMENTS BETWEEN THE UNITED STATES AND THE EUROPEAN ATOMIC ENERGY COMMUNITY, WILL CONTINUE TO BE MADE, IN LIGHT OF OUR EXPECTATION THAT THE AGREEMENT BETWEEN THE IAEA, THE EUROPEAN ATOMIC ENERGY COMMUNITY AND CERTAIN OF ITS MEMBER STATE, SIGNED ON APRIL 5, 1973, WILL ENTER INTO FORCE IN THE VERY NEAR FUTURE.

THE GOVERNMENT OF THE UNITED STATES OF AMERICA HAS INFORMED THE EUROPEAN ATOMIC ENERGY COMMUNITY AND ALL OF ITS MEMBERS THAT NO SOURCE OR SPECIAL FISSIONABLE MATERIAL OR EQUIPMENT AND MATERIAL ESPECIALLY DESIGNED OR PREPARED FOR THE PROCESSING, USE OR PRODUCTION OF SPECIAL

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INFO OCT-01 EUR-25 EA-11 IO-14 ISO-00 FEA-02 CIAE-00 H-03

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SAJ-01 SAM-01 SP-03 SS-20 USIA-15 TRSE-00 RSC-01

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R 020836Z AUG 74
FM USMISSION IAEA VIENNA
TO SECSTATE WASHDC 4833
INFO AEC GERMANTOWN
AMEMBASSY BERN
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C O N F I D E N T I A L SECTION 2 OF 2 IAEA VIENNA 6805
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CAPETOWN FOR EMBASSY; GENEVA FOR DISTO

FISSIONABLE MATERIAL TRANSFERRED FROM THE UNITED STATES
OF AMERICA TO THE EUROPEAN ATOMIC ENERGY COMMUNITY OR ITS
MEMBERS MAY BE RE-EXPORTED TO ANY NON-NUCLEAR-WEAPON STATE
OUTSIDE THE EUROPEAN COMMUNITY EXCEPT UPON EXPRESS CONSENT BY
THE GOVERNMENT OF THE UNITED STATES OF AMERICA, AS PROVIDED
FOR IN ITS EXISTING AGREEMENTS WITH THE EUROPEAN ATOMIC
ENERGY COMMUNITY, AND THAT SUCH CONSENT WILL NOT BE GIVEN UNLESS
ACCEPTABLE ARRANGEMENTS HAVE BEEN MADE FOR THE APPLICATION OF
SAFEGUARDS, PURSUANT TO AN AGREEMENT WITH THE INTERNATIONAL
ATOMIC ENERGY AGENCY, ON THE NUCLEAR MATERIAL TO BE RE-EXPORTED
OR ON THE NUCLEAR MATERIAL PROCESSED, USED OR PRODUCED
IN OR BY THE USE OF SUCH ESPECIALLY DESIGNED OR PREPARED
EQUIPMENT AND MATERIAL WHICH IS TO BE RE-EXPORTED.

WITH RESPECT TO PARAGRAPHS 3 AND 4 OF EACH OF THE MEMORANDA
ENCLOSED, I WISH TO NOTE THAT THE REPRESENTATIVE OF THE

GOVERNMENT OF THE UNITED STATES OF AMERICA HAS PLACED ON THE RECORD OF THE MEETINGS OF THE BOARD OF GOVERNORS OF THE INTERNATIONAL ATOMIC ENERGY AGENCY ON MARCH 1, 1972, AND ON JUNE 12, 1974, THE UNDERSTANDING INHERENT IN ALL OF THE BILATERAL AGREEMENTS FOR COOPERATION TO WHICH THE GOVERNMENT OF THE UNITED STATES IS A PARTY, THAT THE USE OF ANY MATERIAL OR EQUIPMENT SUPPLIED BY THE UNITED STATES UNDER SUCH AGREEMENTS FOR ANY NUCLEAR EXPLOSIVE DEVICE IS PRECLUDED; AND THE UNDERSTANDING INHERENT IN THE SAFEGUARDS AGREEMENTS RELATED TO SUCH COOPERATION AGREEMENTS, THAT THE INTERNATIONAL ATOMIC ENERGY AGENCY WOULD VERIFY, INTER ALIA, THAT THE SAFEGUARDED MATERIAL WAS NOT USED FOR ANY NUCLEAR EXPLOSIVE DEVICE. IT WAS FURTHER NOTED BY THE UNITED STATES REPRESENTATIVE THAT THE CONTINUED COOPERATION OF THE UNITED STATES OF AMERICA WITH OTHER COUNTRIES IN THE NUCLEAR FIELD IS DEPENDENT ON THE ASSURANCE THAT THESE UNDERSTANDINGS WILL CONTINUE TO BE RESPECTED IN THE FUTURE. UNQUOTE

5. REQUEST APPROVAL OF OUR CHANGES TO FOREGOING TEXT BE TELEGRAPHED ALL ADDRESSEES ASAP IN ORDER THAT EXCHANGES OF NOTES NOT BE DELAYED WHEN AGREEMENT REACHED WITH AT LEAST SOME OTHER GOVERNMENTS TO SUCH EXCHANGE.

6. MISSION WILL TELEGRAPH INITIAL LIST OF COUNTRIES INDICATING
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READINESS TO EXCHANGE NOTES ON AUGUST 15 AS SOON AS KNOWN, PROBABLY AUGUST 9. ASSUME INSTRUCTION FOR ACTUAL DELIVERY USG NOTES IN THOSE CAPITALS WILL BE ISSUED BY DEPARTMENT DIRECTLY TO POSTS CONCERNED.

7. ATTENTION IS CALLED TO REFERENCE IN NOTE THAT U.S. HAS INFORMED EURATOM AND ALL OF ITS MEMBERS RE PROHIBITION ON EXPORTS TO ANY NNWS OUTSIDE COMMUNITY EXCEPT WITH USG CONSENT. MISSION SUGGESTS THIS BE DONE BY NOTE TO EC COMMISSION REP AND ALL EC-MEMBER EMBASSIES IN WASHINGTON ON SAME DAY, HOPEFULLY AUGUST 15, THAT FIRST EXCHANGES OF DIPLOMATIC NOTES TAKE PLACE IN CAPITALS.

8. TEXT OF PROPOSED LETTER TO IAEA DIRECTOR GENERAL BEING TRANSMITTED SEPTEL. PORTER

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Message Attributes

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Control Number: n/a
Copy: SINGLE
Draft Date: 02 AUG 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
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Enclosure: n/a
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To: STATE
Type: TE
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